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AURORA LOAN SERVICES, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

AURORA LOAN SERVICES LLC, a
California limited liability company,

Plaintiff,

v.

MARIA R. METCALF,

Defendant.

Case No. 3:08-CV-00872-WQH-RBB

**NOTICE OF MOTION AND MOTION
TO REMAND**

Date: August 11, 2008

Time: 11:00 a.m.

Courtroom: 4

**NO ORAL ARGUMENT WILL BE HEARD
[CivLR 7.1(d)1]**

TO DEFENDANT AND HER ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on **August 11, 2008 at 11:00 a.m.**, or as soon thereafter as the matter may be heard in the above-entitled court, located at 940 Front Street, San Diego, California 92101-8900, plaintiff AURORA LOAN SERVICES, LLC will move the court to remand the action pursuant to 28 U.S.C. § 1447(c) on the grounds that defendant failed to comply with the statutory requirements for removal pursuant to 28 U.S.C. § 1446(a) and (b) and there is no Federal question jurisdiction in this matter as the state court complaint contains neither: (1) a cause of action created by federal law; nor (2) a right to relief necessarily dependant on a resolution of a substantial question of federal law.

The motion will be based on this Notice of Motion and Motion, the Memorandum of Points and Authorities filed herewith, and the pleadings and papers filed herein.

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2 Dated: June 9, 2008

PITE DUNCAN, LLP

3 By: /s/ Thomas N. Abbott

4 THOMAS N. ABBOTT

5 Attorneys for Plaintiff AURORA LOAN
SERVICES, LLC

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